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**UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF MASSACHUSETTS**

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UNITED STATES OF AMERICA

v.

DALE E. MATHENY

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Criminal No. 04-10213-WGY

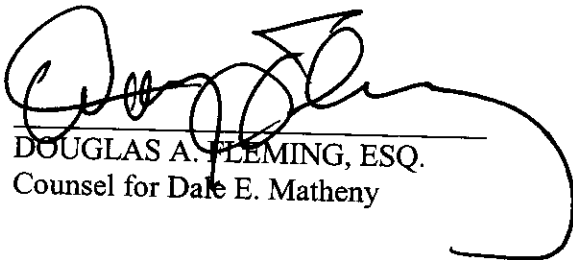
**WAIVER OF INDICTMENT**

I, **DALE E. MATHENY**, defendant in the above-captioned action, who is accused of one count of failure to file returns, in violation of 26 U.S.C. § 7203, and of three counts of filing false and fraudulent tax returns, in violation of 26 U.S.C. § 7206(1), being advised of the nature of the charge(s), the proposed information, and my rights, hereby waive prosecution by indictment and consent that the proceeding may be by information instead of by indictment.



DALE E. MATHENY

11/8/04  
DATE



DOUGLAS A. FLEMING, ESQ.  
Counsel for Dale E. Matheny

11/9/04  
DATE